

1 MICHAEL A. FIRESTEIN, SBN 110622
2 mfirestein@proskauer.com
3 PROSKAUER ROSE LLP
4 2049 Century Park East, 32nd Floor
5 Los Angeles, CA 90067-3206
6 Telephone: (310) 557-2900
7 Facsimile: (310) 557-2193

8 STEVEN M. BAUER,
9 Admitted *pro hac vice*
10 sbauer@proskauer.com
11 JACOB K. BARON,
12 Admitted *pro hac vice*
13 jbaron@proskauer.com
14 PROSKAUER ROSE LLP
15 One International Place
16 Boston, MA 01220
17 Telephone: (617) 526-9600
18 Facsimile: (617) 526-9899

19 Attorneys for Defendant,
20 Sony Corporation of America

21
22 UNITED STATES DISTRICT COURT
23
24 NORTHERN DISTRICT OF CALIFORNIA

25 GREGORY BENDER) Case No. 09-CV-01246-CRB
26 Plaintiff,)
27 v.) STIPULATION AND ~~PROPOSED~~—
28 SONY CORPORATION OF AMERICA, a New) ORDER TO EXTEND TIME TO
29 York corporation,) RESPOND TO AMENDED
30 Defendant.) COMPLAINT
31
32 _____)

33 RECITALS
34

35 WHEREAS, the Complaint of Plaintiff Gregory Bender (“Plaintiff”) in this action was
36 filed on or about March 23, 2009;

37 WHEREAS, the Amended Complaint of Plaintiff in this action was filed on or about May
38 21, 2009;
39

WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's Amended Complaint is due on August 24, 2009;

3 WHEREAS, Plaintiff has indicated that it intends to file a further Amended Complaint;

4 WHEREAS, this extension will provide time for Plaintiff to prepare and file their further
5 Amended Complaint; and

6 WHEREAS, this additional time will not interfere with any other deadlines set by the
7 Court in this matter.

STIPULATION

Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that the time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other responses to Plaintiff's further Amended Complaint in this action shall be extended to and including September 8, 2009.

APPROVED AS TO FORM AND CONTENT

DATED: August 21, 2009

STEVEN M. BAUER
MICHAEL A. FIRESTEIN
JACOB K. BARON
PROSKAUER ROSE LLP

/s/ Jacob K. Baron
Jacob K. Baron

Attorneys for Defendant,
Sony Corporation of America

DATED: August 21, 2009

DAVID N. KUHN

/s/ David N. Kuhn

David N. Kuhn

Attorney for Plaintiff,
Gregory Bender

1 DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B
2

I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence on the filing of this document from all the signatories listed above.

I declare under penalty of perjury that the foregoing declaration is true and correct.

DATED: August 21, 2009

/s/ Jacob K. Baron

Jacob K. Baron

1 **[PROPOSED] ORDER**

2 Having considered the foregoing Stipulation, and good cause appearing,
3 (1) The time within which Sony shall be required to file its answer, motion,
4 counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action
5 shall be extended to and including September 8, 2009.

6 IT IS SO ORDERED

7 DATED: August 24, 2009

